

### REMARKS/ARGUMENTS

Claims 1, 4 and 12 have been amended. No new matter has been added. Claims 1 through 12 remain in the application.

#### **Claim rejections under 35 U.S.C. 112, second paragraphs**

*Claims 1, 4 and 12 were rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.*

Applicant has amended claims 1, 4 and 12 per the Examiner's suggestion. Claim 1 has been further amended to recite "generating a set of formatted data in a form transportable to and usable by a computer based engineering planning model or other application used by the computer or used by another computer." Support for this amendment can be found, for example, in paragraphs [0011] and [0024].

The rejections under 35 U.S.C. 112, second paragraph are thus overcome.

#### **Double Patenting**

*Claims 1-12 were rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1-11 of U.S. Patent no. 6,721,769 and claims 1-3 and 5-17 of U.S. Patent No. 6,850,946.*

Applicant includes the filing of Terminal Disclaimers in order to overcome the double patenting rejection.

Accordingly, applicant respectfully requests reconsideration of claims 1 and 12. The remaining claims 2-11 provide further limitations to what are believed to be allowable claims and as such are also in condition for allowance.

No amendment made was related to the statutory requirements of patentability unless expressly stated herein. No amendment made was for the purpose of narrowing

the scope of any claim, unless Applicant has argued herein that such amendment was made to distinguish over a particular reference or combination of references.

The Applicants believe that the subject application, as amended, is in condition for allowance. Such action is earnestly solicited by the Applicants.

In the event that the Examiner deems the present application non-allowable, it is requested that the Examiner telephone the Applicant's attorney or agent at the number indicated below so that the prosecution of the present case may be advanced by the clarification of any continuing rejection.

The Commissioner is hereby authorized to charge Deposit Account 502117, Motorola, Inc, with any fees which may be required in the prosecution of this application.

Respectfully submitted,

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